

Resolution No. 26 2024

RESOLUTION OF NECESSITY FOR SPECIAL ASSESSMENTS FOR THE COST OF RELOCATING OVERHEAD ELECTRICAL UTILITY SERVICE CABLES, WIRES, AND APPURTENANT EQUIPMENT UNDERGROUND ALONG MONTGOMERY ROAD BETWEEN ELM AND LAWRENCE, AND DECLARING AN EMERGENCY

WHEREAS, the City of Norwood soon will be engaged in the Montgomery Road infrastructure improvement project, and

WHEREAS, in order to allow the City to support Montgomery Road infrastructure, the City of Norwood must relocate underground and reconnect electrical utility service to buildings along the west side of Montgomery Road, within the City of Norwood; and

WHEREAS, funding is necessary to pay for the costs of relocating the utility lines along a portion of Montgomery Road; and

WHEREAS, the City seeks to levy a special assessment pursuant to Ohio Revised Code Chapter 727 for the funding of the costs of relocating overhead utilities along the streets of the City; now therefore,

BE IT RESOLVED by the Council of the City of Norwood, State of Ohio, that:

Section 1. The Council finds it necessary for public safety and welfare of the City of Norwood to assess the cost and expense necessary for the relocation of overhead cables, wires, and appurtenant equipment underground along a portion of Montgomery Road.

Section 2. The areas of work are along the west side of Montgomery Road for the three blocks south of Elm Avenue, and north of Lawrence Avenue, all in accordance with the plans and specifications on file with the Clerk of Council's office.

Section 3. The Council determines the estimated cost of the relocation to be a minimum of \$164,600. The plans, specifications, profiles, and estimates of cost for the relocation and reconnection of utility lines are on file with the Clerk of Council and are hereby approved.

Section 4. The Council determines two percent (2%) of the \$164,600 minimum cost of relocation and reconnection shall be paid from City resources other than special assessments.

Section 5. The Council determines the remaining ninety-eight percent (98%) of the \$164,600 minimum cost of the relocation and reconnection of the utility lines shall be assessed upon those properties abutting the location of the relocation of utility lines on Montgomery Road. The addresses and parcel numbers of the properties requiring underground reconnection within the scope of the project are:

- 4535 Montgomery 651-0026-0008-00
- 4539 Montgomery 651-0026-0007-00
- 4545 Montgomery 651-0026-0006-00
- 4547 Montgomery 651-0026-0128-00
- 4553 Montgomery 651-0026-0004-00
- 4627 Montgomery 651-0025-0101-00
- 4629 Montgomery 651-0025-0133-00
- 4633 Montgomery 651-0025-0112-00
- 4635 Montgomery 651-0025-0110-00

Section 6. The Council determines the special assessment shall be levied in proportion to the benefits which may result from the improvement of the property abutting the relocation project as described in more detail in Exhibit A hereto. The Council determines that said special assessment shall be levied in four annual installments with the regular property tax.


Section 7. The Council determines that the City does not intend to issue securities in connection with the project.

Section 8. The Norwood City Auditor shall prepare an estimated assessment in accordance with the special assessment methodology described above. Said estimated assessment shall identify the amount of the special assessment against each assessed parcel. A preliminary estimate is attached hereto as Exhibit A. The Norwood City Auditor shall file a copy of said estimated assessment with the Clerk of Council.

Section 9. The Council determines the method of collection of said special assessment shall be via certification by the Norwood City Auditor of said special assessments to the Hamilton County Auditor, for collection in the same manner as City property taxes upon the property tax duplicates for collection in the subsequent year. The Norwood City Auditor shall perform the certification of said special assessment each tax year this Resolution of Necessity remains in effect commencing with tax year 2025 for collections in 2026.

Section 10. This ordinance is hereby declared to be an emergency ordinance and a measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall go into effect forthwith. The reason for said emergency is the necessity to move forward with the Montgomery Road Pedestrian Improvement Project in the City of Norwood so that pedestrians can traverse that area of the City more safely.

PASSED 8/27/2024
Date



Joseph S. Geers
President of Council


ATTEST:

Natalie Assaf, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the 27 day of August, 2024, in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the 27 day of August, 2024.



Natalie Assaf
Clerk of Council

APPROVED 27 Aug 24
Date



Victor Schneider
Mayor

CERTIFICATION OF PUBLICATION:

Natalie Assaf, the dully appointed Clerk of Council, attests that this ordinance was published in the _____ on Cincinnati Enquirer
(Name of Newspaper)

11/5/24 and 11/12/24
(date) (date)


Natalie Assaf
Clerk of Council

1st Reading _____
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings 8/27/24
Date

Tabled _____
Date

Vetoed _____
Date

EXHIBIT A

Montgomery Road Project Underground Relocation and Reconnection Estimated Cost / Benefit Conferred by Parcel with Utility Customer Breakdown 8/27/24

Parcel Number / Address	Parcel Owner	Tax Mailing Address	Total For Parcel	Utility Customer / Address	Customer Cost
4535 Montgomery 651-0026-0008-00	Sohi Parneet S Tr 5 Camargo Canyon Cincinnati OH 45243	Sohi Parneet S Tr 5 Camargo Canyon Cincinnati OH 45243	\$5,210.00	Jackson Hewitt Tax Serv. 4537 Montgomery	\$5,210.00
4539 Montgomery 651-0026-0007-00	TEN27 GROUP LLC 2033 Maple Ave Suite 1 Cincinnati OH 45212	TEN27 GROUP LLC 2033 Maple Ave Suite 1 Cincinnati OH 45212	\$23,350.00	Sky Luxury Legendary Jewelers 4539-A Montgomery Vine Street Vinyl 4539-B Montgomery Apartments Units 4539 Montgomery	\$7,850.00 \$7,800.00 \$7,700.00
4545 Montgomery 651-0026-0006-00	Sohi Parneet S Tr 5 Camargo Canyon Cincinnati OH 45243	Spring Valley Bank Escrow 1206 Springfield Pk Wyoming OH 45215	\$6,800.00	Cincinnati Veterans Center 4545 Montgomery	\$6,800.00
4547 Montgomery 651-0026-0128-00	Ventura Peter & Miranda 11121 Kuertzmiller Dr Cincinnati OH 45249	Spring Valley Bank Escrow 1206 Springfield Pk Wyoming OH 45215	\$24,490	West Brothers Jewelers 4547 Montgomery Metro by T-Mobile 4549 Montgomery Derby Apartments 4549 Montgomery	\$7,870.00 \$7,870.00 \$8,750.00

4553 Montgomery 651-0026-0004-00	Ventura Peter & Miranda 11121 Kuertzmiller Dr Cincinnati OH 45249	Spring Valley Bank Escrow 1206 Springfield Pk Wyoming OH 45215	\$17,450	Surplus Work Clothes 4553 Montgomery Apartments Above 4553 Montgomery	\$8,100.00 \$9,350.00
4627 Montgomery 651-0025-0101-00	Kaur Baljeet 424 Pinnacle Way Covington KY 41016	Kaur Baljeet 424 Pinnacle Way Covington KY 41016	\$15,870.00	Liberty Tax 4027 Montgomery	\$15,870.00
4629 Montgomery 651-0025-0133-00	Vasquez Glademiro Emiliano Paz & Yuri Abigail Rodriguez Garcia 10167 Lochcrest Dr Cincinnati OH 45231	Vasquez Glademiro Emiliano Paz & Yuri Abigail Rodriguez Garcia 10167 Lochcrest Dr Cincinnati OH 45231	\$15,870.00	Pike Street Café 4629 Montgomery	\$15,870.00
4633 Montgomery 651-0025-0112-00	4633 Montgomery LLC 200 Loveland Madeira Rd #291 Loveland OH 45140	4633 Montgomery LLC 200 Loveland Madeira Rd #291 Loveland OH 45140	\$24,300	Gracious Feast 4633 Montgomery ERDMESS Bldg. / Apartments Above 4633 Montgomery	\$14,500.00 \$9,800.00
4635 Montgomery 651-0025-0110-00	Frane 8387 LLC 4635 Montgomery Ste 9 Cincinnati OH 45212	Frane 8387 LLC 4635 Montgomery Ste 9 Cincinnati OH 45212	\$31,260	Building w/ Apts 513.351.7000 4635 Montgomery Cincinnati Nails 4635 Montgomery Apts Above Cincinnati Nails 4635 Montgomery	\$9,760.00 \$11,500.00 \$10,000.00



City of Norwood Request for Ordinance, Resolution, Amendment, or Repeal

Date of Request: 8/22/2024		Date Needed: 8/27/2024
Request(s) should be submitted by the Wednesday, at noon, before date needed for Council, earlier if possible.		
Requested By:	Noah Powers	
Contact:	5sd@norwoodohio.gov	
Document Requested:	Resolution	
Executive Summary of document needed:		
<p>If an amendment or repeal request, list existing Ordinance Number(s)/Section(s) of Ordinance to be amended or repealed, etc. (or attach documents and/or copies as appropriate)</p> <p>Requesting a resolution of Council approving the attached project specifications and costs. The resolution should include an approval of property tax assessment to cover the project costs, with appropriate administrative fees, and a schedule of payment on a biannual basis for a period of four (4) years.</p>		
Action Requested:	Emergency - Three Readings at One Meeting with Immediate Effectivity	
If Emergency clause or suspension of rules for all three readings is needed, explain:		
Emergency action is requested to allow the project to move forward as quickly as possible.		
Special Notes/Instructions		
<p>This project to bury electrical lines along Montgomery Road, and reattached electrical connections to properties in the project area is in support of the Montgomery Road Pedestrian Safety Project.</p>		

Keith D Moore, Law Director
 kmoore@norwoodohio.gov / 513-258-5483

Tim Garry, Jr., Assistant Law Director
 tgarry@norwoodohio.gov / 513-312-1275 (rev. 01/09/2018)

May 8, 2024

City of Norwood
Attn.: Clint Zimmer
4645 Montgomery Road
Norwood, Ohio 45212
Ph. (513) 458-4503, Cell 513.615.7726
email: czimmerman@norwoodohio.gov

Project: Montgomery Road Project, Phase 1
Norwood, Ohio 45212

Electrical Quote for Montgomery Road Project : Phase 1

Estimated Cost for each property Owner at this Time:

Estimated Cost :	\$5,210.00	45327 Montgomery Road Jackson Hewitt Tax Service
Estimated Cost :	\$7,850.00	4539-A Montgomery Road Sky Luxury Legendary Jewelers
Estimated Cost :	\$7,800.00	4539-B Montgomery Road Vine Street Vinyl
Estimated Cost :	\$7,700.00	4539 Montgomery Road Apartments Unit's Above
Estimated Cost :	\$6,800.00	4545 Montgomery Road Cincinnati Veterans center
Estimated Cost :	\$7,870.00	4547 Montgomery Road West Brothers Jewelers
Estimated Cost :	\$7,870.00	4549 Montgomery Road Metro by T-Mobile
Estimated Cost :	\$8,750.00	4549 Montgomery Road Derby Apartments Above
Estimated Cost :	\$8,100.00	4553 Montgomery Road Surplus Work Clothes
Estimated Cost :	\$9,350.00	4553 Montgomery Road Apartments Above
Estimated Cost :	\$15,870.00	4027 Montgomery Road Liberty Tax
Estimated Cost :	\$15,870.00	4629 Montgomery Road Pike Street Cafe
Estimated Cost :	\$9,760.00	4635 Montgomery Road Building w/ Apartments ,513.351.7000
Estimated Cost :	\$14,500.00	4633 Montgomery Road Gralous Feast Restaurant
Estimated Cost :	\$9,800.00	4633 Montgomery Road ERDMESS Bldg. / Apartments Above
Estimated Cost :	\$11,500.00	4635 Montgomery Road Cincinnati Nails
Estimated Cost :	\$10,000.00	4635 Montgomery Road Apartments Above / Cincinnati Nails
Total Estimated Cost:	\$164,600.00	

Please call if you have any questions regarding this quote, I will be waiting.
This proposal may be with drawn with 15 days if not accepted.

Bob Long,
Trebor Electrical Contractors, Inc.
FNORWOODMONTGOMERYROADPROJECT

Accepted By :

Date:

Purchase Order :

RE: NOTICE TO PROPERTY OWNERS OF SPECIAL ASSESSMENT

You are hereby notified that on the 27th day of August, 2024 the Council of the City of Norwood, State of Ohio, duly adopted Resolution ___-2024, a resolution declaring it necessary to improve the streets in the City of Norwood by relocating electric power lines underground along the west side of Montgomery Road for the three blocks south of Elm Avenue, and north of Lawrence Avenue, all in accordance with the plans and specifications on file with the Clerk of Council's office.

The entire cost of said improvement, less two percent (2%), shall be assessed upon all of the lots requiring reconnection as part of the project on the west side of Montgomery Road for the three blocks south of Elm Avenue, and north of Lawrence Avenue, in the City of Norwood, Ohio, bounding and abutting on the aforesaid streets between termini aforesaid which said lots and lands are determined to be specifically benefited by said improvement. The assessment shall be based on the benefit which may result to the owners of the parcels as shown by the records of the Hamilton County Auditor, State of Ohio.

The cost thereof shall include the cost of preliminary and other surveys, plans, specifications, estimates, and of printing, serving, and publishing notices, resolutions, and ordinances, the costs incurred in connection with the preparation, levy, and collection of the special assessments, expenses of legal services together with all necessary expenditures.

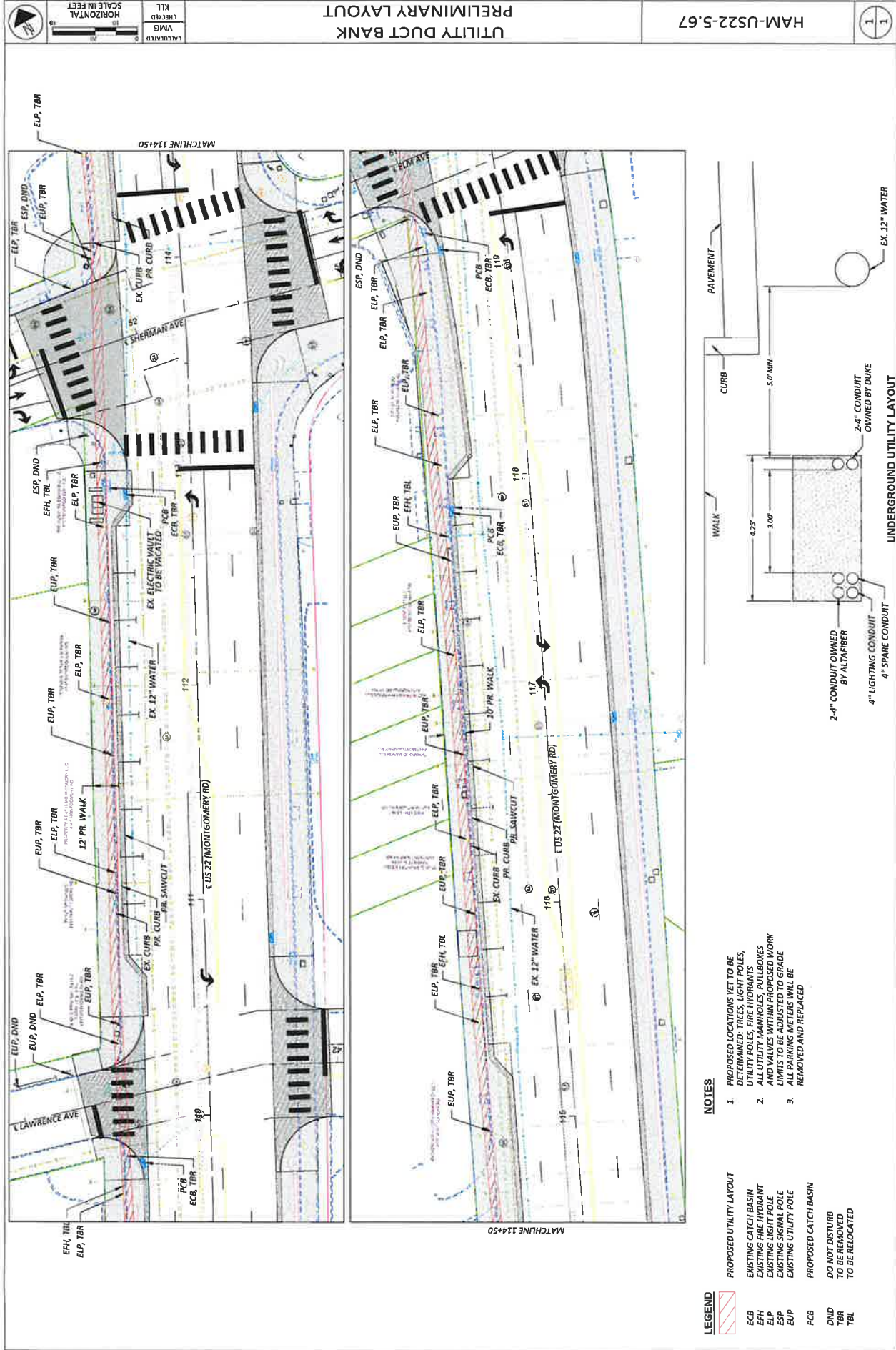
The estimated assessments for such improvement are enclosed, said amounts to be billed in annual installments over four years with the regular property tax bill.

Objections to the assessment, amount or apportionment thereof must be filed in writing in the office of the Clerk of Council within two weeks from the date you receive this notice. In addition, if you believe that it is obvious that you will sustain damages by reason of the proposed public improvement, you must file a claim in writing with the Clerk of Council setting forth the amount of the damages claimed and a general description of the property with respect to which it is claimed such damages will accrue.

Failure to file an objection or a claim for damages will result in waiver of any objections and any claim for obvious damages that you believe will result from the project.

BY ORDER OF THE COUNCIL OF THE CITY OF NORWOOD
Natalie Assaf, Clerk of Council

Plan & Specifications for Electrical Reconnection

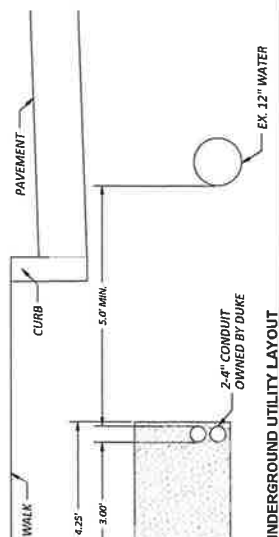


LEGEND

	PROPOSED UTILITY LAYOUT
ECB	EXISTING CATCH BASIN
EFH	EXISTING FIRE HYDRANT
ELP	EXISTING LIGHT POLE
ESP	EXISTING SIGNAL POLE
EUP	EXISTING UTILITY POLE
PCB	PROPOSED CATCH BASIN
DND	DO NOT DISTURB
TBR	TO BE REMOVED
TBL	TO BE RELOCATED

NOTES

1. PROPOSED LOCATIONS YET TO BE DETERMINED: TREES, LIGHT POLES, SIGNAL POLES, MANHOLES, BULLBOYES AND ALL UTILITY MANHOLES, BULLBOYES AND VALVES WITHIN PROPOSED WORK LIMITS TO BE ADJUSTED TO GRADE
2. ALL PARKING METERS WILL BE REMOVED AND REPLACED
3. ALL PARKING METERS WILL BE REMOVED AND REPLACED



HAM-US22-5.67

UTILITY DUCT BANK PRELIMINARY LAYOUT

SCALE IN FEET
HORIZONTAL
CHECKED
VLMG
KLL
LALCUREB

May 8, 2024

City of Norwood
 Attn.: Clint Zimmer
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 Norwood, Ohio 45212
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Estimated Cost :	\$7,870.00
Estimated Cost :	\$8,750.00
Estimated Cost :	\$8,100.00
Estimated Cost :	\$9,350.00
Estimated Cost :	\$15,870.00
Estimated Cost :	\$15,870.00
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